

B. AUTHORIZED REPRESENTATIVE

Effective March 1, 2003

WAC 388-460-0005 Can I choose someone to apply for Basic Food for my assistance unit?

Your Basic Food assistance unit (AU) can choose an adult who is not a member of the AU to act on your behalf. This is called an authorized representative.

- (1) A responsible member of the AU can name, in writing, an authorized representative. A responsible member of the AU is either:
 - (a) The applicant;
 - (b) The applicant's spouse; or
 - (c) Another member of the AU the applicant states is able to conduct business on behalf of all members in the AU.
- (2) The AU's authorized representative has the authority to apply for Basic Food on the AU's behalf.
- (3) If the authorized representative provides information to the department that causes an AU to have an overpayment, the AU members are liable for the overpayment.
- (4) An authorized representative may act on behalf of more than one Basic Food AU **only** if the CSO Administrator approves.

CLARIFYING INFORMATION**1. How clients designate an authorized representative:**

A client can use the Application for Benefits, DSHS 14-001(X) to designate an authorized representative, but any written, signed statement may be accepted.

2. Drug and Alcohol Treatment Centers:

If a client receives Basic Food in a qualified drug and alcohol treatment center, the treatment center is the AU's authorized representative.

3. Verification:

The identity of an authorized representative is a mandatory verification. See **Verification**.

4. Alternate Card Holders:

Authorized representatives do not get a Quest card or have the ability to access the AU's benefits. If a client needs someone outside of their AU to access the benefits, see the information on Alternate Card Holders in **Benefit Issuances**.

5. Individuals who have Power of Attorney for a client:

- a. If an individual has Power of Attorney for a client, the person can be the client's authorized representative without the client having to specifically designate them as the client's authorized representative.
- b. If an individual has a limited Power of Attorney for a client, the Power of Attorney document must specifically give the person authority to act on the client's behalf for public assistance, food stamps, or Basic Food benefits. If the document doesn't give the person this authority, the client must name the person as their authorized representative if they want them to act on their behalf for Basic Food.

WORKER RESPONSIBILITIES

1. Clients usually name an authorized representative on the application for benefits. Follow the process below when you receive a request for an authorized representative outside of the application or recertification process:
 - a. If you get a written statement naming an authorized representative in person, compare the client's ID to the ID in the record;
 - b. If a client asks for an authorized representative in person, ask the client to put the request in writing. Compare the client's ID to the ID in the record.
 - c. If you get a request for an authorized representative by mail, compare the handwriting and signature on the statement with handwritten documents and signature in the record for similarity;

- d. If you doubt of the authenticity of the statement, contact the head of the AU to confirm the request.
 - e. File the written statement in the case file.
2. When an AU member who isn't the head of the AU asks for an authorized representative, check the case file for any document showing the ID or handwriting of that person. In this situation it is appropriate to contact the head of the AU to verify that the person naming an authorized representative is a responsible member.
3. ACES does not monitor or create reports on individuals who are authorized representatives for multiple cases. If you learn that a person is an authorized representative for multiple AUs and suspect the representative is misusing the client's benefits, refer the case to the Division of Fraud Investigation (DFI). See: **FRAUD**

Effective January 31, 1999

WAC 388-460-0010 Food assistance authorized representative--Treatment centers and group homes.

- (1) Residents in group homes may choose to have food assistance benefits authorized as follows:
 - (a) On their own behalf;
 - (b) Through an authorized representative of their choosing; or
 - (c) Through a facility acting as authorized representative.
- (2) Residents in chemical dependency treatment centers are required to have a designated employee of the facility act as an authorized representative.
- (3) The authorized representative for residents in a chemical dependency treatment center or a group home must:
 - (a) Be aware of the resident's circumstances;
 - (b) Notify the department of any changes in income, resources or circumstances within ten days of the change;

- (c) Use the resident's food assistance benefit allotment for meals served to the resident; and
 - (d) Maintain enough benefits in the facility electronic benefits transfer (EBT) account to allow the department to transfer one-half of a client's monthly allotment to the client's own account. The client is entitled to one-half of the food assistance benefits when the client leaves the facility on or before the fifteenth of the month.
- (4) When assigning an employee as the authorized representative for residents, a facility accepts responsibility for:
- (a) Any misrepresentation or intentional program violation; and
 - (b) Liability for food assistance benefits held at the facility on behalf of the resident.

CLARIFYING INFORMATION

1. When a facility acts as an authorized representative for persons in a group home or chemical dependency treatment facility, one person from the facility usually acts on behalf of all the clients in that facility or group home.
2. The Department of Agriculture, Food and Nutrition Service (FNS) regulates the facilities in their use of clients' Basic Food benefits. The following expectations are listed for information only. Upon leaving a group home or treatment facility, a Basic Food client is entitled to the following from the authorized representative:
 - a. Any untransacted EBT benefits:
 - b. All of the month's Basic Food benefits if none has been spent on behalf of the client;
 - c. At least one-half of the benefits if the client leaves before the 16th of the month and part of the benefits have already been spent on behalf of the client;
 - d. A change of circumstance form, DSHS 14-76(X), with instructions to notify the department within ten days with their new address and other changes.

Effective September 1, 1998

WAC 388-460-0015 Persons who may not be an authorized representative for a food assistance unit.

- (1) A person acting as an authorized representative for a food assistance unit will be disqualified for one year when that person:
 - (a) Knowingly provides false information to the department;
 - (b) Misrepresents the food assistance unit's circumstances; or
 - (c) Misuses the food assistance benefits.
- (2) The authorized representative and the head of the food assistance unit are notified thirty days prior to the disqualification taking effect.
- (3) The following persons may act as an authorized representative for a food assistance unit only with written approval of the CSO administrator and only when no one else is available:
 - (a) An employee of the department;
 - (b) Any person disqualified from the food assistance program because of an intentional program violation;
 - (c) A retailer authorized to accept coupons;
- (4) A public or private nonprofit organization providing meals for homeless persons may not be an authorized representative under any conditions.

CLARIFYING INFORMATION

The head of the Basic Food AU may request a Fair Hearing when the person they have named as their authorized representative is disqualified from being an authorized representative. See **FAIR HEARING**.

WORKER RESPONSIBILITIES

In most cases, the disqualification of an authorized representative takes place as the result of a DFI investigation. Use letter G01G to inform both the client and the authorized representative of the disqualification action. State the reason for the disqualification action and the client's right to a Fair Hearing.